

महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

मंगळवार, जानेवारी ४, २००५/पौष १४, शके १९२६

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Act, 2004 (Mah. Act No. III of 2005), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. III OF 2005.

(Frist published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 4th January 2005.)

An Act further to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961.

WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Ordinance, 2004, on the 23rd August 2004 ;

Mah. V of 1962. Mah. Ord. XXVIII of 2004.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Fifty-fifth year of the Republic of India as follows :—

Short title and Commencement.

1. *(1)* This Act may be called the Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Act, 2004.

(2) It shall be deemed to have come into force on the 23rd August 2004.

Amendment of section 78 of Mah. V of 1962.

2. In section 78 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter referred to as " the principal Act "), for sub-section *(1A)*, the following sub-section shall be substituted, namely :— Mah. V of 1962.

"*(1A)* There shall also be a Water Management and Sanitation Committee constituted in accordance with the provisions of section 79A.".

Substitution of section 79A of Mah. V of 1962.

3. For section 79A of the principal Act, the following section shall be substituted, namely :—

Constitution of Water Management and Sanitation Committee.

" **79A.** *(1)* Subject to the provisions of section 81, the Water Management and Sanitation Committee shall consist of,—

(a)	the President of the *Zilla Parishad*,	*ex-officio* Chairman ;
(b)	the Chairmen of all the Subjects Committees constituted under sub-section *(1)* of section 78,	*ex-officio* Members ;
(c)	four Councillors, out of which not less than two shall be women, to be elected by the *Zilla Parishad* from amongst the Councillors,	Members ;
(d)	the Chief Executive Officer,	*ex-officio* Member ;
(e)	the Executive Engineer (Rural Water Supply), *Zilla Parishad* ; the Executive Engineer (Minor Irrigation), *Zilla Parishad*,	*ex-officio* Member ;
(f)	the Deputy Chief Executive Officer, *Zilla Parishad* looking after sanitation,	*ex-officio* Member ;
(g)	the Deputy Chief Executive Officer *(Panchayat)*, and	*ex-officio* Member ;
(h)	the Additional Chief Executive Officer,	*ex-officio* Member-Secretary :

Provided that, the Committee may invite not more than two representative of Support Organisations in the district (NGOs, consultants, educational institutions) working in the field and having special knowledge and experience in the subject of

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water conservation, drinking water supply and sanitation, as special invitees, for the purpose of assisting or advising the Committee in discharge of its duties and functions :

Provided further that, the *ex-officio* Members appointed under clauses *(d)*, *(e)*, *(f)*, *(g)* and *(h)* and the special invitees may take part in the deliberations of the Committee but shall have no right to vote in such meetings.

(2) The Water Management and Sanitation Committee shall have and exercise, in relation to the subjects of water conservation, preservation, utilisation, drinking water supply and sanitation, all the powers which the Subjects Committee has and exercises in relation to the subjects allocated to it, by or under the provisions of the Act.".

Mah. Ord. XXVIII of 2004.

Repeal of Mah. Ord. XXVIII of 2004 and saving.

4. *(1)* The Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Ordinance, 2004 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken, as the case may be, under the principal Act, as amended by this Act.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई